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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **EDUARDO JOSE CONTRERAS-LOPEZ,** Defendant.	Magistrate Case No. '08 MJ 0881 COMPLAINT FOR VIOLATION OF: Title 21, U.S.C., Section 841(a)(1) Possession of a Controlled Substance with Intent to Distribute

The undersigned complainant, being duly sworn, states:

Count 1

On or about March 6, 2008, within the Southern District of California, defendant EDUARDO JOSE CONTRERAS-LOPEZ did knowingly and intentionally possess with intent to distribute approximately 84.6 grams of heroin, a schedule I controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 2

On or about March 13, 2008, within the Southern District of California, defendant EDUARDO JOSE CONTRERAS-LOPEZ did knowingly and intentionally possess with intent to distribute approximately 76.7 grams of heroin, a schedule I controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 3

On or about March 19, 2008, within the Southern District of California, defendant EDUARDO JOSE CONTRERAS-LOPEZ did knowingly and intentionally possess with intent to distribute approximately 160.1 grams of heroin, a schedule I controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Derek Kinninger
Special Agent
Drug Enforcement Administration

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF March 2008.

LEO S. PAPAS
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
EDUARDO JOSE CONTRERAS-LOPEZ

STATEMENT OF FACTS

1. Beginning in February 2008, a DEA Cooperating Source (hereafter referred to as "CS") acting at the direction of your affiant, SA Kinninger, made several controlled phone calls to Eduardo Jose CONTRERAS- Lopez ("CONTRERAS"), D.O.B. 10-12-1957, regarding the purchase of two ounces of heroin. On March 4, 2008, the CS and CONTRERAS agreed to meet on March 6, 2008 for the CS to purchase the two ounces of heroin for $1,300.00.

2. On March 6, 2008, surveillance was established at the Costco Store at 650 Gateway Center Drive, in San Diego. At approximately 5:30 p.m., the CS, who was acting at the direction of SA Kinninger and Task Force Officer Ellington, met with CONTRERAS and purchased two ounces of heroin. CONTRERAS was alone during the buy and drove a green colored 1996 Toyota Corolla (5HMM434), which is registered to him at 4179 Poplar Street, San Diego, CA. The heroin presumptively tested positive and weighed approximately 84.6 grams.

3. On March 13, 2008 at approximately 5:15 p.m., CS purchased approximately two ounces of heroin from CONTRERAS at the Costco parking lot, located at 650 Gateway Center Drive, San Diego. Prior to the purchase, surveillance was established at CONTRERAS' residence, located at 4179 Poplar Street, San Diego. At approximately 5:03 p.m., CONTRERAS was observed getting into his green colored Toyota Corolla (5HMM434) that was parked on the street in front of his house. CONTRERAS arrived at the meet location at approximately 5:15 p.m., driving the same vehicle as described above. At the conclusion of this purchase, the CS discussed with CONTRERAS that he would like to purchase a pound (16 ounces) of heroin on their next meeting, which CONTRERAS agreed to. The heroin presumptively tested positive and weighed approximately 76.7 grams.

4. On March 18, 2008 at approximately 8:00 p.m., CS placed a controlled called to CONTRERAS to further discuss the purchase of a pound (16 ounces) of heroin. CONTRERAS agreed to sell the CS 5 to 8 ounces of heroin, pending approval from his supplier.

5. On March 19, 2008 at approximately 8:00 p.m., the CS once again met with CONTRERAS at the Costco parking lot, located at 650 Gateway Center Drive, San Diego. Prior to this meeting CONTRERAS had informed the CS that he could sell the CS five ounces of heroin. Surveillance was established at CONTRERAS' residence, located at 4179 Poplar Street, San Diego, and CONTRERAS was observed getting into his green colored Toyota Corolla (5HMM434) and driving to the Costco store. When CONTRERAS met with the CS at the Costco parking lot to deliver the 5 ounces of heroin he was apprehended by law enforcement officers. The heroin seized at the time of CONTRERAS' arrest presumptively tested positive and weighed approximately 160.1 grams.

6. A subsequent search of CONTRERAS' residence at 4179 Poplar Street, San Diego resulted in the seizure of pay/owe sheets, drug distribution paraphernalia, and the recovery of a loaded .25 caliber handgun.